

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD JAMES WELK,

Plaintiff,

v.

CDCR, et al.,

Defendants.

No. 2:22-cv-0351 DAD KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. On December 22, 2023, defendants filed a motion requesting a settlement conference, a temporary stay of this litigation and for the court to withhold on ruling on defendants' pending motion to dismiss pending the outcome of the settlement proceedings. (ECF No. 53.)

On January 8, 2023, defendants filed a stipulation, signed by plaintiff and defense counsel, requesting a settlement conference, a temporary stay of this litigation and for the court to withhold ruling on defendants' pending motion to dismiss pending the outcome of the settlement proceedings. (ECF No. 55.)

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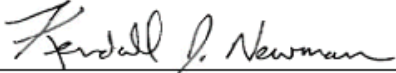
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Good cause appearing, IT IS HEREBY ORDERED that:

1. Defendants' motion filed December 22, 2023 (ECF No. 53) is denied as unnecessary;
2. The requests by the parties in the stipulation filed January 8, 2024, are granted;
3. The court will shortly issue a separate order setting this action for a settlement conference;
4. Defendants' motion to dismiss (ECF No. 32) is vacated; and
5. This action is stayed pending the outcome of the settlement conference. If this matter does not settle, the court will lift the stay, issue a scheduling order, and reinstate and rule on defendants' motion to dismiss.

Dated: January 10, 2024


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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